

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DEBRA LEE HUZJAK,

Plaintiff,

v.

ACS GUARDIANSHIP SERVICES,
STATE OF WISCONSIN *Department of*
Aging, RYAN WILKES, ST. FRANCIS
HOSPITAL, ASCENSION
HEALTHCARE, JUDGE MURRAY,
and STEVE PETERS,

Defendants.

Case No. 19-CV-969-JPS

ORDER

Plaintiff filed this action on July 8, 2019. (Docket #1). Because Plaintiff sought leave to proceed without prepayment of the filing fee, her complaint was subject to screening. *See* (Docket #2); 28 U.S.C. § 1915(e)(2). The next day, Magistrate Judge Nancy Joseph issued a report and recommendation on the matter of screening Plaintiff's complaint. (Docket #5). Magistrate Judge Joseph concluded that the Court lacked jurisdiction over Plaintiff's claims pursuant to the abstention doctrine of *Younger v. Harris*, 401 U.S. 37 (1971), as the claims are directly related to an ongoing state judicial proceeding. *Id.* Magistrate Judge Joseph accordingly recommended that the action be dismissed. *Id.*

In her recommendation, Magistrate Judge Joseph informed Plaintiff that, pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), Federal Rule of Civil Procedure 72(b)(2), and General Local Rule 72(c), she had fourteen days to file an objection to the recommendation. (Docket #5 at 6). That deadline has

passed and the Court has received no objection or any other communications from Plaintiff. Having received no objection thereto, and in full agreement with Magistrate Judge Joseph's analysis and conclusions therein, the Court will adopt the recommendation. Because jurisdiction is a threshold inquiry, the Court will dismiss on that basis. The dismissal will, therefore, be without prejudice.

Accordingly,

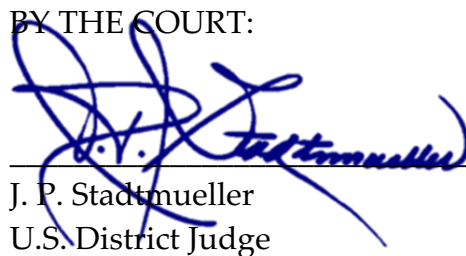
IT IS ORDERED that Magistrate Judge Nancy Joseph's July 9, 2019 Report and Recommendation (Docket #5) be and the same is hereby **ADOPTED**; and

IT IS FURTHER ORDERED that this action be and the same is hereby **DISMISSED without prejudice**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 29th day of July, 2019.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge